

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RODD COOLEY,

Plaintiff,

v.

HAROLD CLARKE, *et al.*,

Defendants.

Case No. C05-5560RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendant Clarke's motion to dismiss at the 12 (b) (6) stage is **GRANTED AS TO DAMAGES AND DENIED REGARDING INJUNCTIVE RELIEF.**
- (3) Clerk is directed to send copies of this Order to plaintiff, counsel defendants, and to the Hon. Karen. L Strombom.

DATED this 6th day of March, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE